

Chapter 37 - Service Contracting

Section 37.1 Performance-Based Acquisition

37.1.1 PURPOSE

The purpose of this section is to establish the requirement for Agency service contracts to be placed as performance-based acquisitions (PBA) and to provide guidance for EPA contract and program offices on placing a performance-based acquisition (PBA).

37.1.2 BACKGROUND

The Federal Acquisition Regulation (FAR), Subpart 37.1, establishes a general preference for performance-based contracting when acquiring services. Further, FAR Subpart 37.6 sets forth the policies and procedures for the use of performance-based contracting methods.

The Office of Federal Procurement Policy (OFPP) in its September 7, 2004, Memorandum "Increasing the Use of Performance-Based Acquisition," adopted a Government-wide goal of 40 percent of eligible contract dollars to be placed as performance-based by FY 2005. This goal may be increased in succeeding years.

Consistent with the general preference for performance-based contracting, and the benefits to be obtained from this method of contracting, EPA is requiring that all contracts and orders for eligible services (see **eligible services** below) be placed as performance-based acquisitions.

EPA's placement rate of PBA awards, historically, has been substantially lower than the federally-established goals. Establishing a requirement to place all new eligible awards as PBA not only serves to maximize benefits from this contracting method, but also furthers advancement toward the 40 percent goal. EPA has many non-PBA contracts placed in prior years which continue to be included in calculating our PBA rate. Therefore, to improve EPA's PBA rate, new PBA awards must be placed at a rate far exceeding the Government-wide 40 percent goal.

EPA contracting and program offices may find additional information on PBA in OFPP's web-enabled guide entitled *Seven Steps to Performance-Based Services Acquisition* at:

<http://www.acqnet.gov/Library/OFPP/BestPractices/pbsc/>.

37.1.3 AUTHORITY/APPLICABILITY

The guidance in this section supercedes the performance-based service contracting guidance established on July 23, 1999, via a policy memorandum which was incorporated in the CMM at 37.1, on April 7, 2004.

The authority for this section is FAR 37.102(a) and FAR Subpart 37.6.

This section is applicable to all eligible service actions, at or above \$25,000, with the following exceptions:

- existing START contracts, and orders thereunder, generally referred to as START II; -
- existing ERRS contracts, and orders thereunder.

This section is effective immediately, and is applicable to procurements for which the Procurement Initiation Notice (PIN) package, and/or the procurement request, has not yet been provided to OAM.

37.1.4 DEFINITIONS - (Reserved)

37.1.5 POLICY

In accordance with the preference for performance-based contracts at FAR 37.102, all EPA contracts (including work assignments, task orders, modifications, options, orders, and nonAgency contracts, such as Federal Supply Schedules) at or above \$25,000 for eligible services, shall be placed as PBA, regardless of contract type. Accordingly, in addition to fixed-price contracts which are most commonly associated with PBA, cost-reimbursable and fixed-rate (time and-materials, and labor-hour) contracts also shall be placed as performance-based.

If more than 50 percent of the requirement is performance-based, as measured in dollars, the service action shall be coded as PBA in the Integrated Contracts Management System (ICMS) and reported as such in the Federal Procurement Data System (FPDS).

Although a Performance Work Statement (PWS) is most commonly used in PBA, contracting officers (CO) and project officers (PO) are encouraged to consider using a Statement of Objectives (SOO) (See 37.1.5.1(B) below) in PBA requirements because SOOs provide the maximum opportunity for contractors to offer innovative and efficient means to meet Government objectives.

37.1.5.1 Essential Elements of PBA Contracts

Consistent with the FAR definition (FAR 2.101) for performance-based contracting, PBA means structuring all aspects of an acquisition around the purpose of the work to be performed with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes as opposed to either the manner by which the work is to be performed or broad and imprecise statements of work. PBA describes requirements in terms of results required rather than methods of performance. Essential elements of PBA are:

- A) Performance Work Statement (PWS): Statements of work in PBA requirements are referred to as performance work statements (PWS). The PWS describes the work in terms of measurable outcomes rather than prescribing the method to perform the services. The

PWS identifies to the contractor what needs to be done, not how to do it. This affords contractors latitude to employ ingenuity and creativity in meeting Agency requirements.

- B) Statement of Objective (SOO): The SOO is a Government-prepared document incorporated into a PBA solicitation that states the overall solicitation objectives. It is provided in lieu of a PWS and is used to allow each offeror maximum flexibility to propose an innovative development approach. The SOO merely sets forth the objectives for an acquisition. The contractor is responsible for proposing the outcomes necessary for the agency to achieve these objectives. Based on proposed solutions and existing commercial practices, the offeror's proposal must contain a PWS, and performance metrics and measures. This proposal should also contain a quality assurance surveillance plan (QASP), and may include incentives.

COs and POs should consider the following factors when deciding whether to use a SOO. First, contractors may identify different outcomes to meet the Government's objectives, resulting in the submission of vastly different proposals, and potentially complicating the best value source selection. Second, by requiring the contractor to develop the PWS, performance standards, the QASP, and any incentives, use of a SOO may involve substantially higher proposal costs.

- C) Measurable Performance Standards. Performance standards are an integral component of PBA contracts because they provide the basis for measuring quality. Performance standards include both objective and subjective standards.

While objective performance standards (e.g., response times) are preferable from an administrative standpoint, subjective standards (e.g., customer satisfaction) are equally suitable for PBA contracts, and may be more appropriate for use in cost-reimbursable and fixed-rate contracts, which frequently do not lend themselves to objective standards.

Examples of objective performance standards include the following: Timeliness in terms of responsiveness to help desk requests, or to meeting shuttle bus schedules; defects in terms of erroneous information furnished by a hot-line, or incorrect data provided under laboratory analyses.

Examples of subjective performance standards include the following: The quality of technical analyses and reports, or training and seminar materials; and the effectiveness of environmental education and outreach strategies.

37.1.5.2 Other Elements of PBA Contracts

While not required, the following two elements should be considered when developing performance-based acquisitions:

- A) Quality Assurance Surveillance Plans (QASP). In accordance with FAR 37.604 and 46.401, QASPs should be prepared in conjunction with the development of the PWS, or required from offerors for consideration by the Government in the development of the Government's plan. Typically, for each performance requirement (i.e., regulation support, training, technical analyses, etc.) the QASP identifies the corresponding performance standard (i.e., timeliness, quality, etc.), the corresponding performance measure (i.e., acceptable quality levels, the relative importance of the performance requirement, etc.), and the corresponding type and frequency of the surveillance (i.e., inspections, questionnaires, etc.), if applicable. Because the QASP is intended to measure performance in accordance with the PWS, QASPs are independent documents which should be tailored to meet the requirement. Preparing the QASP along with the PWS is both effective and efficient. For administrative convenience, COs may wish to consider presenting it as a chart.
- B) Incentives. Consistent with the basic premise of performance-based contracting, that contractor payments should be linked to meeting prescribed performance standards, incentives can serve to motivate contractors to improve performance. Accordingly, COs and POs are encouraged to include incentives, as appropriate, in PBA contracts.

Cost Incentives: Cost incentives are incentives which contractors may earn by effectively managing costs.

Performance Incentives: Performance incentives are incentives which contractors may earn by achieving prescribed levels of performance.

Incentives may be positive, negative, monetary or non-monetary, and may include the availability of a fee, increased or decreased fees, eligibility for award terms, accelerated payments, and increased or reduced surveillance. When negative incentives are used, the deduction should represent, as close as possible, the value of the service lost due to poor performance.

One example of an incentive includes a separate performance fee for a contractor not missing scheduled pick-ups over a prescribed period under a fixed price contract for shuttle bus services. Another example of an incentive would be a fee based on trainee evaluations under a fixed price contract for training services. Such a contract could also provide for an incentive in terms of surveillance, whereby future Government surveillance would be increased or decreased based on student evaluations.

COs and POs have broad discretion to fashion appropriate incentives. Any incentives, however, must be in addition to existing requirements. For example, rating a contractor in the National Institutes of Health Contractor Performance System (NIH CPS), in and of itself, would not qualify as an incentive. However, the NIH CPS can be used to record performance information which, in turn, can be used in conjunction with incentives or

disincentives. Likewise, meeting or exceeding a performance standard may qualify a contractor for a specific performance rating, i.e. outstanding, in the NIH CPS.

Because of concerns that the administrative burden of award fees under cost-reimbursable contracts often outweighs the benefits to performance, COs and POs are cautioned that award fees are only available for selected large dollar contracts. (See CMM 16, Section 16.1.5.1, for Agency policy on use of award fee contracts.)

37.1.5.3 Generation of PWS

When utilizing a PBA, there are two sources for a PWS:

- A) Program Office. Employing the conventional acquisition process, the program office generates the PWS as part of the procurement initiation notice (PIN) which is transmitted to the CO.
- b. Contractor. A SOO is developed by the program office as part of the PIN. The SOO requires the contractor to generate the PWS.

37.1.5.4 Eligible Services

Not all services are considered eligible for PBA. FAR 37.102(a)(1) identifies a number of ineligible services. These services, and others, are defined in the Federal Procurement Data System (FPDS) Manual as ineligible for PBA. Ineligible services are excluded from the base of total contract dollars and the PBA total dollars when calculating PBA percentages in FPDS. COs still have the discretion to place such services as PBA, if a performance-based approach best meets the Government's needs. However, such awards will not be counted towards our PBA goals.

Among the ineligible services are construction and architect and engineering (A&E) services. The Remedial Action Contracts (RACs) are A&E contracts. Accordingly, for the RACs or other ineligible services, the decision to use PBA is at the discretion of the CO. The same discretion applies to construction contracts.

37.1.5.5 Waivers

The Chief of the Contracting Office (CCO) has the authority to waive the requirement to place contracts and work assignments/task orders for eligible services as PBA on a case-by-case basis. Waivers should address, at a minimum, the compelling reasons the proposed effort does not lend itself to PBA. All waivers shall be retained as documentation in the contract file.

The office seeking a waiver is responsible for preparing the waiver request. COs and POs/CORs will assist one another during the waiver process. COs are responsible for processing the request for CCO approval.

Waivers are not required for:

1. the non-PBA portion of a requirement if more than 50% of the effort is placed as PBA,
2. task orders or technical direction documents against START III contracts where 50% of the entire contract effort is expected to meet or exceed 50% annually. (Note, in order to qualify for the waiver exemption, contracting officers responsible for administration of START III contracts must have a review process in place to evaluate, at least annually, the percentage of PBA work placed under the contract),
3. ineligible services which are not placed as PBA, and
4. actions under \$100,000. (For non-PBA actions between \$25,000 and \$100,000, COs, with input from POs/CORs, shall document the file with rationale supporting a non-PBA action.)

37.1.5.6 Roles and Responsibilities

Performance-based contracting is an Agency responsibility that requires the support and commitment of Agency managers, and all parties involved in the acquisition process. Because the placement and administration of a performance-based acquisition is a collaborative team effort, program offices are encouraged to involve all key stakeholders in the PBA effort early in the acquisition planning process (see CMM Section 7.1). Further guidance to the team approach is also found in the *Seven Steps to Performance-Based Services Acquisition* at: <http://www.acqnet.gov/Library/OFPP/BestPractices/pbsc>.

Responsibilities for the program office and the contracts office are as follows:

- A) Program office: The program office is responsible for developing the PWS, measurable performance standards, QASP, and any incentives in the procurement initiation notice (PIN). (See CMM Section 7.3). In the case of a SOO, the program office is responsible for identifying the objectives of the proposed contract. During contract performance, the Contracting Officer's Representative(s) is responsible for overseeing contractor performance and notifying the CO of whether the performance standards have been met.
- B) Contracts office : In the contracts office, the cognizant CO is responsible for ensuring the sufficiency of PBA requirements submitted with the PIN, and in the resultant contract. In the event a PBA element is omitted from a PIN (e.g., a QASP), the CO shall request it from the program office. If a PBA element is deficient, the CO shall work with the program officials to make the element sufficient. After contract award, the CO is responsible for taking appropriate action regarding whether the contractor is meeting (or not meeting) performance standards. For example, if a performance standard has not been met, a reduction in the contract price may

be necessary. On the other hand, where a contractor has met a performance standard linked to an incentive, this may involve award of the incentive (i.e., reduced surveillance, award terms, etc.).

SECTION 37.2 CONTRACTING FOR TEMPORARY OR INTERMITTENT PERSONAL SERVICES OF STUDENTS AND RECENT GRADUATES

37.2.1 PURPOSE

The purpose of this section is to establish policy and procedures for ORD's authority to either contract *directly* with individual students or *indirectly* with institutions or nonprofit organizations, for the temporary or intermittent personal services of students or recent graduates.

37.2.2 BACKGROUND

This section was originally issued on June 9, 2004, to provide policy and procedures relating to Contracting for Temporary or Intermittent Personal Services of Students or Recent Graduates. The Office of Research and Development (ORD) is granted Personal Services contracting authority by Congress in the Consolidated Appropriation Resolution for 2003 (P.L. 108-7). First, the authority allows ORD to contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent personal services of students or recent graduates. The intent of this authority is to provide an opportunity for students seeking hands on experience within ORD in support of our mission. This opportunity is opened to individuals at least 18 years old who are enrolled in a degree program at a recognized educational institution or a recent graduate (within one year of graduation for BS and MS degrees and two years of graduation for post docs). Students or recent graduates can work up to 5 years (two year base period) under Personal Services Contracts, in various laboratories, research centers and offices working side-by-side with EPA mentors and/or scientists. Although students or recent graduates would be working as a contractor under Personal Services contracts, they would be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but are not considered to be Federal employees for any other purposes.

Second, it is permissible for ORD to contract either directly or indirectly to obtain student services. If the direct contracting method is selected (contract w/individual student), COs would continue to use procedures established in the policy. When indirectly obtaining student services, the students can be employees of the institutions or nonprofit organizations under a contract. In order to have a personal services relationship with contractor employees, the contract must explicitly state that the contractor agrees to a personal services relationship between its employee(s) and ORD personnel. In addition, the contractor should also state "the contractor understands and agrees that its employees under the ORD contract will be considered federal employees for compensation for travel, work injuries and tort claims as set forth in the statutory authority and all applicable clauses will be included in the contract." This is not to be confused with personal service relationships with students or recent graduates who are considered subcontractors to an ORD contractor. EPA has privity of contract with its prime contractor only and not with any subcontractors.

37.2.3 AUTHORITY/APPLICABILITY

The Consolidated Appropriation Resolution for 2003 (P.L. 108-7) included the following authority for the EPA Office of Research and Development to contract for the temporary or intermittent personal services of students or recent graduates:

"Provided, that the Office of Research and Development (ORD) of the Environmental Protection Agency may hereafter contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent personal services of students or recent graduates, who shall be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes."

37.2.4 DEFINITIONS

- A) Contracting Officer's Representative (COR) - the COR is the primary representative of the contracting officer (CO). The COR may be either an EPA employee or, as appropriate, another Federal Agency employee, appointed by the CO, who possesses the necessary knowledge, skills, and abilities to perform pre-award and/or post-award functions. The COR is responsible for technical direction and certifying that services were received and accepted. CORs do not have the authority to issue any technical direction which changes or modifies the scope of work, or alters the period of performance of the contract. The COR must comply with the required acquisition training requirements listed in Section 42.1, of the Contracts Management Manual (CMM). The COR may also serve as a mentor and continue to perform their pre-award and post-award contract functions.
- B) Mentor - the Mentor is a Federal employee, proficient in the subject matter related to the student's field of study, which provides day-to-day direction, coaches, advises, counsels and provides guidance and support to the student or recent graduate in the performance of their work. Mentors review the student's or recent graduate's work and provide input to the COR on the quality and quantity of this work. Unless the mentor is also the COR, mentors will *not* perform acquisition functions, such as approval of invoices, and therefore, are *not* required to comply with the COR training requirements as stated in CMM Section 42.1. The Mentor should normally be collocated with the student so as to be readily available to the student contractor.
- C) Recent Graduate - An individual, at least 18 years of age, who has graduated with a degree from a college or university within the last two years.
- D) Student - An individual, at least 18 years of age, who is enrolled, in good standing, in a degree program (actively seeking a degree) at a recognized educational institution. A student is not required to carry a full course load, as long as the individual is a bona fide student, not merely someone who signed up for a class in order to work under these contract arrangements.

- E) Field of Study – College or university course work related to requirements of the Statement of Work (SOW) that will provide a benefit to the student thru hands-on work experiences.

37.2.5 POLICY

ORD's authority is to contract for the temporary or intermittent personal services of students or recent graduates, who are at least 18 years of age, for up to 60 months, or five years, of total service, including options. Any period of performance, base or option period, may not exceed 24 months or two years, in order to coincide with ORD's appropriations period. Upon expiration of student services contract, that requirement must be re-competed following the acquisition procedures established under Section 37.2.5.1, in order to continue fulfilling this requirement under the student services authority. The student or recent graduate may not compete again for the same requirement they have previously held, but may compete for any other student service requirement for which they are qualified and otherwise eligible. There is no maximum time limitation on the number of years that a requirement may be fulfilled under the student service authority. Likewise, there is no limitation on the number of years a particular student may perform under student service contracts; however, a student may not hold a contract for the same requirement more than 60 months. Please note that the limitations placed on the individual student are not applicable to indirect contracts (e.g., educational institutions, nonprofit organizations, etc.) which held a prior award in excess of the simplified acquisition threshold. Institutions/organizations that have previously held indirect contracts may compete again for the same requirement.

The purpose of this authority is to provide the students or recent graduates with hands-on work experience in their field of study. It is *not* to be used as an alternative to hiring Federal employees to perform continuing service needs or mission critical work.

EPA's statutory authority allows for contracting with individual students or recent graduates, or for contracting with institutions (such as colleges and universities) or other nonprofit organizations (such as consortiums); for the personal services of students or recent graduates.

The structure of the contract vehicle may differ should a direct contract be awarded to an individual versus an indirect award to an institution for things such as payment, terms and conditions, and appropriate clauses. (See 37.2.5.1)

Students and recent graduates under these personal services contracts are not Federal employees (except as provided below) and, therefore, are not eligible for: health insurance, life insurance, retirement plans, monetary awards, leave or Government employees' training. Students and recent graduates may not be used to perform inherently governmental functions.

Students or recent graduate travel is authorized, arranged and paid for the same as would be done for employee travel. They are eligible for Government airfares and hotel discounts on official travel.

Students or recent graduates injured on the job are eligible for Workers Compensation at the Government's expense (via the Department of Labor) the same as a Federal employee. They are also included in workplace safety and injury prevention programs; protective gear, medical

monitoring, and inoculations should be provided to students and recent graduates.

Consistent with the law, the Government may be sued for damages or injuries to third parties caused by these students or recent graduates in the conduct of EPA activities. This does not mean that the students or recent graduates are indemnified from all liability. They are not entirely immune personally from lawsuits just as Federal employees are not. Properly licensed students or recent graduates may be permitted to drive Government vehicles, if required to do so by the statement of work.

The acquisition of these personal services may be implemented using simplified acquisition procedures or negotiated acquisition procedures, competitively or noncompetitively, if justified.

ORD will notify OAM, the Acquisition Policy and Training Service Center (APTSC), immediately if this statutory authority is rescinded or changed and provide appropriate documentation to support the cancellation or revision to the authority.

37.2.5.1 ACQUISITION PROCEDURES AND PROVISIONS

37.2.5.1.1 Procurement Initiation

The ORD requiring organization will submit, to the servicing OAM Procurement Operations Division, the following:

- A) Completed Procurement Request, with approvals and funding in accordance with CMM 7.3
- B) Announcement for student or recent graduate services contracts
- C) Statement of work (SOW) in accordance with CMM 11.1
- D) Evaluation Factors
- E) List of recommended institutions and points of contact where the announcement should be posted

37.2.5.1.2 Announcement for Student or Recent Graduate Services Contracts

ORD will prepare an announcement for student or recent graduate services contracts (Appendix 37.2A), which will serve as the EPA solicitation for simplified acquisitions. Announcements will include the following information:

- A) SOW
- B) Needed knowledge, skills, work experience and/or academic education
- C) Estimate of the number of hours of work to be performed
- D) Approximate start and end dates
- E) Evaluation factors to be used to evaluate resumes
- F) Hourly rate applicable to specified education level and location
- G) Principal duty station location
- H) Resume requirements

- I) Deadline and address for submission of resumes
- J) Late proposal instructions
- K) Number of awards projected

In the case of an anticipated contract to a college, university, or other Organization, a synopsis must be posted in FedBizOpps pursuant to FAR Part 5.2.

37.2.5.1.3 Statement of Work

ORD will develop the SOW (Appendix 37.2B) and transmit it, together with the Announcement described in 37.2.5.1.2 above, to the CO to initiate the procurement process. The SOW is the written description of the services that the Government requires of the contractor (student) and contains, as a minimum, the following information:

- A) Brief description of Agency and Office mission
- B) Project description
- C) Description of work required
- D) Quality assurance requirements
- E) Description of working conditions
- F) Anticipated travel requirements, if any

The CO will include the SOW in the announcement during the solicitation process, and it will be made part of the award document.

37.2.5.1.4 Competition

All contracting opportunities will comply with applicable competitive procurement procedures and policies, with factors other than price being significantly more important than price as the basis for award.

The posting of the announcements will be sufficient to comply with competitive procurement procedures. When the contract value is expected to exceed \$10,000, the CO will post the announcement in a public place(s.) The posting must be accomplished by the day the solicitation is issued and be open for 10 days, or until the quotations are received, whichever is later.

Using the ORD-provided list of recommended institutions, the CO will contact these institutions to advertise the opportunity (ies). The CO will notify the COR once the announcements have been posted. The COR may supplement the CO's announcement by providing additional copies of announcements to the institutions or posting the announcements on their local ORD web-sites. ORD should list student service opportunities in their acquisition forecast, to the extent they are known.

37.2.5.1.5 Evaluation Factors

The opportunity announcements will notify the students or recent graduates that factors other than price are significantly more important than price as the basis for award. The technical evaluation factors that will be used by the COR to evaluate the strengths and weaknesses of each offerors resume will be identified in the solicitation and should include the following elements:

- A) Level of experience related to the SOW requirements (paid or volunteer work and academic)
- B) Level of experience in laboratory work (paid or volunteer work or academic)
- C) Relevant Education
- D) Relevant Training

EPA intends to establish the recommended rates for these contracts based on the hourly rate applicable to the specified education level and location for performance of the duties described in the SOW. Hourly rates are based on the OPM General Schedule Salary Tables. For direct awards to student(s) or recent graduate(s), the rates are inflated to include the costs of self-employment taxes for Social Security and Medicare. See Appendix 37.2 C for a schedule of rates for student or recent graduate services.

Payment under contracts awarded to an institution or nonprofit organization will be negotiated on a case by case basis. They will include additional costs associated with administrative expenses incurred by the institution running the program.

ORD will develop the pricing table by education level and location, update it on an annual basis, and provide it to the OAM APTSC within 20 workdays of the OPM's publication of the new General Schedule and locality pay schedules each year. OAM will distribute copies of the new pricing table to the contracting officers.

Students or recent graduates will be provided the rate and will be instructed to propose accordingly in order to have an acceptable proposal. In this way, price will be considered the same for all students or recent graduates (offerors). If a different rate or price is proposed, it must be accompanied by an explanation indicating why the provided rate was not proposed.

37.2.1.6 Eligibility

Eligibility is established at the time of award. Students or recent graduates must be at least 18 years of age by the time of award.

EPA ORD employees, their spouses, and children are not eligible to participate in this program and receive these contracts.

U.S. citizens are eligible to participate in this program and receive these contracts. Non-U.S. citizens may be eligible to participate, depending on their immigration status and the applicable regulations of the Bureau of Citizenship and Immigration Service (BCIS) (formerly known as the Immigration and Naturalization Service.) Before EPA can issue an award to anyone *without* a social security number or with restrictive marking on his/her social security card, the student must

provide documentary evidence from BCIS of his/her eligibility to work in the U.S. Foreign students in the U.S., under F-1 visas, are usually not able to participate in this program due to BCIS restrictions for off-campus work.

37.2.5.1.7 Proposals

Students' or recent graduates' resumes and their proposed hourly rates will serve as the proposal for student or recent graduate services requirements. The submitted resumes should be no more than two (2) pages in length, exclusive of the transcript and documentary evidence from BCIS, if appropriate, and contain the following information:

- A) Full legal name
- B) Mailing address
- C) Email address (if any)
- D) Telephone number
- E) Social Security Number
- F) Date of Birth
- G) Place of Birth
- H) Citizenship or immigration/visa status (documentary evidence from BCIS)
- I) Description of recent classes relevant to the SOW
- J) Experience related to the scientific field (paid or volunteer work and academic)
- K) Experience in laboratory work (paid or volunteer work or academic)
- L) Scientific publications with a description of the individual's participation in the Publication
- M) An attached certified copy of the most recent transcript showing listing of courses and overall grade point average

37.2.5.1.8 Selection

The CO will review the proposals to ensure that all are responsive to the terms of the solicitation. The CO will provide technical proposals (resumes) to the COR for technical review. CORs may conduct interviews with the most promising candidates, if desired. Mentors may participate in the interviews.

Upon completion of the technical review, the COR will provide the CO with his/her evaluation of the strengths and weaknesses of each resume and interview results. CORs will make a recommendation of candidates for selection. The COR will identify the total number of hours, start and end dates, and name of COR and/or mentor for the student or recent graduate. The CO will notify the student(s) or recent graduate(s) of selection.

37.2.5.1.9 Central Contractor Registration

The student or recent graduate contractor must register with the Central Contractor Registration (CCR) and Dun and Bradstreet (D&B) (to obtain their Data Universal Number

System (DUNS) number or DUNS +4.) Students obtained through an indirect contract with an institution or nonprofit need not register in CCR. Failure to register may adversely affect receiving an award or being paid. Student or recent graduate contractors are required to provide the following business information only once to this common Government-wide data source: their Taxpayer Identification Number (Social Security Number or Employer Identification Number), Electronic Funds Transfer (EFT) information, and DUNS number.

To obtain a DUNS number, students or recent graduate contractors can call D&B at 1-866-705-5711 or contact D&B at <http://www.dnb.com/updte>. To register for the CCR, contractors can call 1-888-227-2423 or 296-961-5757 or contact CCR at <http://www.ccr.gov>. There is no charge to register for DUNS or CCR.

37.2.5.1.10 Acknowledgment of Special Terms

No work may be performed under a student services contract unless and until the student or recent graduate signs, dates, and returns the Acknowledgment of Special Terms (Appendix 37.2D) to the CO. The CO is responsible for ensuring that the acknowledgment is sent to the student or recent graduate contractor. The original, signed acknowledgment is included as part of the order in the official file and a copy sent back to the contractor.

37.2.5.1.11 Award

The CO will prepare the award documentation to include the base period (of no more than two years) and *up to* four additional option periods (of no more than two years each). Base and option periods together may *not exceed 60 months or five years, and any period of performance (base or option period) cannot exceed 24 months or two years*. Note: awards for shorter periods are permitted.

However, if a shorter period is selected, the contract cannot be extended without approval for a non-competitive award. Hours shown in the award are estimates only but intended to project the maximum hours allowable. If the award contains a line item for an option period to renew or extend the order, the CO and the student or recent graduate may agree to extend the period of performance by bilateral modification to the award. The hourly rate shown in the original award for the option period will be the rate that was in effect at the time of award for the applicable grade and location. This rate will be adjusted, upon exercise of the option period, for inflation to the applicable rate from the most current pricing table for students or recent graduates. However, the hourly rate will not be adjusted to a different grade level for contracts with periods of performance of 2 years or less.

The Government is under no obligation to exercise an option. The total duration of an award, including base and any options and other extensions, shall not exceed 60 months or five years.

Award packages for simplified acquisitions will include the SOW, terms and conditions, student or recent graduate acknowledgment of special terms and a sample invoice. (Appendix 37.2 B, D, E and F represent a sample order for a direct award under simplified acquisition

procedures.) Award packages for contracts over the simplified acquisition threshold, more commonly associated as an indirect contract with an institution or other organization, must be awarded in accordance with FAR Part 15.

In instances when direct contracts with students or recent graduates exceed the simplified acquisition threshold, and require the use of a negotiated procurement, the award document will include all FAR Part 15 requirements plus the student's acknowledgement of special terms and a sample invoice.

37.2.5.1.12 Required Clauses

The following clauses must be included in all awards for student or recent graduate services and may be incorporated by reference. *Note: 52.213-04 is only for awards made under simplified acquisition procedures. This list of clauses is not all inclusive. The CO must add any other clauses needed to address the contract type, contract dollar value or any unique procurement requirements. The CO must insert applicable FAR/EPAAR clauses in purchase orders for these services generated using the appropriate OAM automated contract writing system.

Federal Acquisition Regulation (FAR) Clauses:

Number	Title	Date
52.213-04*	Terms and Conditions – Simplified Acquisitions	July 2002
52.227-17	Rights in Data – Special Works	June 1997
52.232-3	Payments under Personal Services Contracts	Apr 1984
52.232-25	Prompt Payment	Feb 2002
52.232-33	Payment by Electronic Funds Transfer – Central	May 1999
52.233-01 Alt.1	Disputes – Alternate I	July 2002
52.249-12	Termination – Personal Services	Apr 1984

EPA Acquisition Regulation (EPAAR) Clauses:

Number	Title	Date
1552.209-70	Organizational Conflict of Interest Notification	Apr 1984
1552.209-71	Organizational Conflict of Interest	Apr 1984
1552.211-79	Compliance with EPA Policies for Information Res.	Oct 2000
1552.235-71	Treatment of Confidential Business Information	Apr 1984
1552.235-73	Access to Federal Insecticide, Fungicide, and Rodenticide Act Confidential Business Information	Apr 1996
1552.235-75	Access to Toxic Substances Control Act Confidential Business Information	Apr 1996
1552.235-76	Treatment of Confidential Business Information (TSCA)	Apr 1996
1552-235-77	Data Security for Federal Insecticide, Fungicide, and Rodenticide Act Confidential Business Information	Dec 1997
1552-235-79	Data Security for Toxic Substances Control Act Confidential Business Information	Dec 1997
1552-235-80	Access to Confidential Business Information	Oct 2000

37.2.5.1.13 Agency Personnel Verification Procedures

The purpose of this requirement is to comply with the Homeland Security Presidential Directive 12 and the requirement to have onsite contractor personnel identified and verified for security purposes.

**Attachment to Work Statement
Agency Personal Verification Procedures
For Contractor Personnel
October 2006**

Background: Homeland Security Presidential Directive 12 (HSPD-12), signed on August 27, 2004, requires a Government-wide, common identification standard for all Federal and contractor employees requiring physical access to Federally controlled facilities and/or logical access to Federally controlled information systems. The goals of HSPD-12 are to enhance safety and security, increase Government efficiency, reduce identity fraud, and protect personal privacy.

HSPD-12 requires that the common identification be: (a) issued based on sound criteria for verifying an individual employee's identity; (b) strongly resistant to identity fraud, tampering, counterfeiting, and terrorist exploitation; (c) rapidly authenticated electronically; and (d) issued by providers whose reliability has been established by an official accreditation process.

HSPD-12 and its common identification standard require personal identity verification (PIV), background investigations, and suitability determinations for all affected contractor and subcontractor personnel. In accordance with FAR clause 52.204-9, Personal Identity Verification of Contractor Personnel, contractors and subcontractors must comply with EPA master plan for implementing HSPD-12.

a) Contractor Requirements for Personal Identity Verification of Contractor Personnel (including subcontractors)

Contractor Employees Requiring Access to EPA facilities or EPA Information Systems for at Least 24 Hours a Week for at Least 6 Months: All individual contractor employees whose work under the contract requires on-site access to an EPA controlled facility or logical access to an EPA information system for at least 24 hours a week for at least 6 months a year, will be required to undergo a background investigation in order to receive an EPA Personnel Access and Security System (EPASS) badge.

To begin the PIV process, the contractor should submit to the Contracting Officer Representative (COR) within ten (10) days of contract award or contract modification with this Attachment to Work Statement Agency Personal Verification Procedures for Contractor Personnel, the following information in electronic format via secure means using the HSPD-12 Contractor Template found at <http://epa.gov/oam/>. The template was developed to assist in the transmission of the required contractor employee information in a uniform format. The template also contains drop down menus when entering data in various data cells. Specifically, the 8 data elements, Employee Type, Program Office, Work City and State, Birth State, Birth Country, Citizenship, Previous Investigation and Investigative Agency, contain drop down menus.

- Contract number;
- Contract expiration date;

- Name, address, and phone number of the Contractor Program Manager point of contact;
- Name, date of birth, place of birth (city, state, country), and Social Security Number for all contractor employees identified above. (NOTE: This information must be protected at all times, including during transmission, according to the requirements of the Privacy Act of 1974; see <http://www.epa.gov/privacy/>);
- Employee Type, Position, Email address, Program Office, Work City and State,
- An indication of which contractor employees are foreign nationals;
- Name of each contractor employee claiming to have a previous, favorably adjudicated Federal background investigation on record, and the name of the Federal Agency that required the investigation, and the completion date.

The contract-level COR will upload this information to the Office of Administrative Services Information System (OASIS) personnel security database.

After submission of the preliminary information, the contractor will be notified by the contract-level COR or PSB when to begin providing all information on Standard Form (SF) 85P, Questionnaire for Public Trust Positions, and submit the form electronically to PSB via the Office of Personnel Management's (OPM's) Electronic Questionnaires for Investigations Processing (e-QIP) system. Instructions for using e-QIP, filling out, and submitting the SF 85P on-line, can be found at <http://www.opm.gov/e-qip/reference.asp>. As part of the investigative and EPASS badging processes, contractor employees must be fingerprinted, photographed and provide two forms of identification, at a time and location specified by the COR. These fingerprints will be sent to the Federal Bureau of Investigation (FBI) for processing.

Contractor employees with a favorably adjudicated Federal background investigation at the National Agency Check and Inquiries (NACI) level or above, completed within the past 5 years and verified by EPA, do not require an additional investigation unless one is requested by the Contracting Officer (CO) or Contract-level Contracting Officer Representative (COR). These employees must still be fingerprinted at a time and location specified by the COR.

In order to prevent any interruption of contractor services pending the completion of the OPM background investigation, the Office of Administrative Services (OAS) Security Management Division (SMD) has procedures in place to issue temporary or provisional badges.

When reporting in person, as directed by the contract-level COR, contractor employees must provide two forms of original identity source documents from the lists on Form I-9, OMB No.1615-0047, Employment Eligibility Verification (available at <http://www.formi9.com/i-9.pdf>). At least one document shall be a valid State or Federal Government-issued picture identification.

Contractor Employees Requiring EPA Access for Less than 24 Hours a Week for 6 Months: These contractor employees may be subject to the above requirements, and may have limited and controlled access to facilities and information systems.

Foreign National Contractor Employees: To be eligible to work on-site at an EPA

controlled facility or to access EPA information systems, a foreign national contractor employee must have been admitted to the U.S. on an Immigrant Visa or a Non-Immigrant Work Authorization Visa. Foreign nationals requiring access to an EPA controlled facility or EPA information system for at least 24 hours a week for at least 6 months a year must meet the above requirements for an EPASS badge, and in addition:

- In the Continuation Space on the SF 85P, provide the visa number, issuance location, and issuance date for the visa used for entry to the U.S;
- When presenting two identification source documents, as described above, provide at least one from List A on Form 1-9.

When determining a foreign national contractor employee eligibility for an EPASS badge, EPA will consider the type of visa presented (immigrant vs. non-immigrant) and the reciprocity agreement between the U.S. and the individual country of origin. These considerations are in addition to the red flag issues listed below.

Screening of the SF 85P: Information contained on the SF 85P may demonstrate that a contractor employee is not suitable to be given access to EPA facilities or information systems. PSB will screen information entered on the SF 85P prior to OPM initiating the background investigation. For individuals with admitted, derogatory information, issuance of an EPASS badge may be delayed pending further EPA review. Contractors are responsible for providing qualified personnel in accordance with requirements stated elsewhere in this contract. Contractors will only be notified by the COR if any contractor employee is found unsuitable to perform as a result of a background investigation, and must be immediately replaced by the contractor. The following are possible "red flags":

- Employment - Having been fired from a previous job, or having left under unfavorable circumstances within the past 7 years (Question 12 on the SF 85P);
- Selective Service - Failure to register with the Selective Service System; this applies to male applicants born after December 31, 1959 (Question 17 on the SF 85P);
- Police Records - Within the past 7 years, any arrest, charge, or conviction that has been upheld for violent or dangerous behavior or a pattern of arrests that demonstrates disregard for the law (Question 20 on the SF 85P);
- Illegal Drugs - Illegal use within the previous year, or drug manufacture or other involvement for profit within the past 7 years (Question 21 on the SF 85P).

b) Returning Badges

The contractor is responsible for ensuring that all badges are returned to the COR at the conclusion of the contract or when contractor on-site services are no longer required, or when an individual contractor employee leaves.

c) Subcontracts

These requirements must be incorporated into all subcontracts wherein employees work under the subcontract requires physical access to an EPA controlled facility or logical access to an EPA information system for 6 months or longer.

d) Appeals

Contractors have the right to appeal, in writing to the COR, a determination to deny or revoke a badge. If the COR believes an appeal is justified, he/she will forward it to:

U.S. Environmental Protection Agency
Personnel Security Branch (Mail Code 3206M)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

PSB decision on behalf of the Agency will be final and not subject to further appeal.

e) Definitions

- EPA Information System means an information system [44 U.S.C. 3502(8)] used or operated by EPA, or a contractor of EPA or other organization on behalf of the Agency.
- EPA Controlled Facilities means:
 - EPA or Federally-owned buildings or leased space, whether for single or multi-tenant occupancy, and its grounds and approaches, all or any portion of which are under the jurisdiction, custody or control of the Agency;
 - EPA or Federally controlled commercial space shared with non-government tenants. For example, if a department or agency leased the 10th floor of a commercial building, the Directive applies to the 10th floor only;
 - Government-owned contractor-operated facilities, including laboratories;
 - The term does not apply to educational institutions that conduct activities on behalf of departments or the agency or at which Federal Employees are hosted unless specifically designated as such by the sponsoring department or agency.
- Foreign National means an individual who is not a United States citizen.

37.2.5.1.14 Billable Hours

Hours shown in the award are estimates. EPA will pay students or recent graduates only for the number of hours actually worked. Students or recent graduates may bill their time and be compensated in increments of a quarter of an hour. If the student or recent graduate works eight minutes or more, the total will be rounded up if and seven minutes or less, the total will be rounded down (on a daily basis).

As self-employed contractors, students or recent graduates do not accrue leave or holiday benefits. EPA will *not* pay for any non-work hours, regardless of the reason why the Agency/building is closed. This includes scheduled Government holidays, unscheduled holidays, or any other unscheduled closure (e.g., inclement weather, furloughs, security reasons.) When the Government decides to close the building after the student or recent graduate has reported to work, the Government will pay only for the hours worked before closure. Additionally, as self-employed contractors, students or recent graduates are paid the hourly rate specified in the contract for any hours worked beyond the 40 hour week, with no overtime premium.

37.2.5.1.15 Overtime and Withholdings

Students or recent graduates performing under direct contracts are considered self-employed contractors, and are, therefore, exempt from the Fair Labor Standards Act and the Service Contract Act. As contractors, Federal, state or local income taxes or Social Security (FICA) payments will *not* be deducted from payments. The rate of pay is set forth in the contract based on the level of education needed to perform the requirements in the SOW. Students or recent graduates who have more years of education than required, or who attain a degree while work is underway *do not* move to a higher level of pay than required by the SOW.

Students or recent graduates, who are not employed by any other employer, whose net earnings are \$400 or more, must pay self-employment taxes to pay into the Social Security and Medicare trust funds. They may also be liable for income taxes dependent on their total earnings. Since there is no withholding on their income, they may need to make quarterly estimated tax payments.

37.2.5.1.16 Invoicing/Payments

All payments will be made through EFT. The student or recent graduate shall submit the original copy of invoices for payment to the EPA Finance Center (FC) designated in the award, with copies to the CO, COR, and mentor. The student or recent graduate may submit invoices bi-weekly. If an indirect contract is awarded to an institution or nonprofit, the contractor is responsible for submitting invoices as outlined in the respective contract on behalf of the student. To be considered a complete and proper invoice, the invoice must include the following information:

- A) Contractor name (student)
- B) Invoice Date
- C) Award number
- D) Billing period (dates covered by the invoice)
- E) Daily record of hours worked
- F) Total number of hours worked during the billing period

EPA-FC will forward complete and proper invoices to the COR for review and acceptance. Once the COR has accepted the services by approving the invoice, EPA-FC will endeavor to pay all invoices for these services within two weeks after receipt of a proper invoice. However, EPA is not obligated to make payment before the 30th day, as provided in the Prompt Payment clause. Students or recent graduates who submit timely invoices and do not receive payment within the 30 days stipulated in the Prompt Payment Act are entitled to interest payments as prescribed in the clause. (Appendix 37.2 F is a sample invoice.)

37.2.5.1.17 Travel

If performance of the contract requires overnight travel, the student or recent graduate will travel under the rules and procedures established for Federal employee travel (chapters 57 and 81 of title 5, United States Code.) The respective ORD organization is responsible for issuing and approving invitational travel orders in accordance with Agency delegations.

Only transportation tickets and travel management center fees may be charged to the centrally billed account. Therefore, the student or recent graduate must be able to: (1) pay any other travel expenses out of pocket; or (2) charge any other travel expenses to a personal credit card. The student or recent graduate would then file travel vouchers for reimbursement of allowable out of pocket expenses to close out the travel.

37.2.5.1.18 Vaccinations and Immunizations/Medical Monitoring/Health and Safety Training

A) Vaccinations and Immunizations

a. Before beginning certain types of work, the student or recent graduate may be offered non-mandatory vaccinations, immunizations, or treatments as specified in the Statement of Work. The purpose of these vaccinations, immunizations, or treatments is to safeguard the health of those whose work may expose them to health or safety risks in the environment.

i. EPA will bear all costs for the administration of the offered vaccinations, immunizations, or treatments provided that the student or recent graduate receives such treatment at the time and location designated by the Contracting Officer's Representative.

ii. Student or recent graduates electing to receive vaccinations, immunizations, or treatments from sources other than those designated by the Contracting Officer's Representative will not be reimbursed for any costs associated with such treatment.

b. Students or recent graduates that elect not to receive vaccinations, immunizations, or treatments from either the Government or private source will be required to sign a form letter acknowledging that they have declined the offered treatment. A student or recent graduate who declines the vaccinations or immunizations will not be covered by the Government for costs of or treating illnesses that could have been avoided by taking the recommended immunization therapy, unless the student or recent graduate provides written documentation from a physician certifying to the student's or recent graduate's intolerance of the immunization drugs.

c. Students or recent graduates who have already received vaccinations, immunizations, or treatments suggested by the Statement of Work may provide copies of shot records or other evidence acceptable to the Contracting Officer's Representative in lieu of receiving a new round of treatment or signing the declination letter. The Contracting Officer's Representative will retain copies of such evidence in the files related to the student's or recent graduate's work.

B) Medical Monitoring

a. Students or recent graduates whose contract requires work with or around hazardous substances, may be offered medical examinations to identify any adverse health effects related to exposure. These examinations, when offered, will be paid for by the Government.

b. These medical examinations have been constructed in order to answer specific questions about exposure risk and health in the work place. These examinations are not meant to

be "wellness" examinations. Participation in these examinations should not be construed as an adequate substitute for periodic examinations by the students' or recent graduates' personal physicians. The types of evaluations that may be performed are baseline, periodic, and exit.

- i. Baseline evaluations are done to characterize the state of health of the individual prior to commencing work on a new assignment. They may be conducted in order to assess the individual's health status in relation to the special demands of the proposed job assignment.
- ii. Periodic evaluations are performed to identify and measure any adverse effects from occupational activities, and to control risks from occupational exposures.
- iii. Exit evaluations are conducted when an individual terminates a given position that requires medical surveillance. These examinations are performed to document the health status of an individual at the end of work in a particular position.

C) Health and Safety Training

Students or recent graduates are expected to participate in health and safety training, at the Government's expense, to make them aware of safety programs and policies at EPA. This includes initial safety, health, and environmental management training, laboratory health and safety training, and field activity training. It also includes general safety, personal protective equipment, physical hazards and chemical hazards training. This training is required under Federal, OSHA, EPA, DOT, and NRC regulations. Training may involve face-to-face classroom courses or computer-based training courses.

37.2.5.1.19 Termination

FAR clause 52.249-12, "Termination (Personal Services)"(APR 1984), is incorporated into these awards. This clause permits the Government to terminate the award anytime, for any reason, with at least 15 days written notice by the CO to the contractor. The Government may terminate the award for cause in the event the contractor fails to comply with any terms and conditions, including those listed in the Acknowledgment of Special Terms, or repeatedly fails to report on scheduled workdays, or otherwise fails to perform services required under the award. False statements on the resume as well as results of background checks that reveal information that the student represents a risk to the interests of EPA are also grounds for termination.

If the award is terminated for cause, the student or recent graduate will be paid only for hours worked to the point of termination and will not receive the 15 days notice described in the clause. Note: this clause also permits, with the written permission of the CO, the contractor the right to terminate the award with at least 15 days written notice to the CO.

37.2.5.1.20 Reporting

ORD and OAM will need the capability of reporting and tracking the acquisitions awarded under this new authority. COs will issue these awards using both OAM acquisition systems -

SPEDI for simplified acquisitions and ICMS for negotiated acquisitions. When using SPEDI, COs must code the control number to include the acronym ORDPS followed by Document Control Number (DCN). When using ICMS, COs must code the product/service code as R497, personal services contracts, and then insert the appropriate North American Industry Classification System code. Using these codes, OAM may issue reports on these acquisitions from the automated systems.

37.2.5.1.21 Government Furnished Property

Students or recent graduates employed at Offices, Centers, and Laboratories of the Environmental Protection Agency may be granted the authority to use Government furnished property should the criteria at CMM 45.1.5 be met.

APPENDIX 37.2A SAMPLE ANNOUNCEMENT FOR PERSONAL SERVICES CONTRACTS FOR STUDENTS OR RECENT GRADUATES

U.S. Environmental Protection Agency Office of Research and Development Office/Center/Lab

The (*Office/Center/Lab*) of the Office Research and Development (ORD) at the U.S. Environmental Protection Agency (EPA) is seeking (*number*) of individuals, at least 18 years of age who are either students (in good standing enrolled in a degree program, not necessarily carrying a full course load, but pursuing a degree at a recognized educational institution) or recent graduates (graduated with a degree from a college or university within the past two years) to provide services under a contractual agreement in support of (*name of the program/project.*)

The (*Office/Center/Lab*) is responsible for (*functional statement.*) The student/recent graduate contractor will perform (*types of services required.*)

The student/recent graduate contractor should possess (*required expertise and skills needed*) in order to provide these services, as well as (*required education level.*)

This work is expected to begin approximately (*month/day/year,*) and end approximately (*month/day/year*) and represents an estimate of (*insert number*) hours of effort. The principal duty station location is (*City, State.*) The student may enter the building only during business hours or when a project member is present. (*Description of working conditions that may be hazardous or physically strenuous.*)

U.S. citizens are eligible to participate in this program. Non-U.S. citizens may be eligible to participate, depending on their immigration status and the applicable regulations of the Bureau of Citizenship and Immigration Service (BCIS,) formerly known as the Immigration and Naturalization Service. Students or recent graduates who are EPA ORD employees, or the spouse or child of an EPA ORD employee, are not eligible to participate.

The hourly rate of pay is commensurate with the level of education and experience, as follows: (*\$XX/XX per hour - from student or recent graduate services pricing table.*) Students or recent graduates will be provided the rate and will be instructed to propose accordingly in order to have an acceptable proposal. In this way, price will be considered the same for all students or recent graduates (offerors). If a different rate or price is proposed, it must be accompanied by an explanation indicating why the provided rate was not proposed.

Student/recent graduate contractors will be paid the basic hourly rate only for the number of hours worked beyond the 40-hour work week. Student/recent graduate contractors do not accrue leave or holiday benefits and are not paid for any non-work days, regardless of the reason.

The student/recent graduate contractor is considered as an independent contractor; therefore, Federal, State, Local, Social Security, and Medicare taxes will not be withheld. Student/recent graduate contractors are responsible for reporting income to authorities and paying all taxes.

Interested students or recent graduates may apply for this opportunity by providing the proposed hourly rate (the one shown above) and a one or two page, excluding the copy of the transcript and documentary evidence from BCIS, if appropriate, resume or statement of qualifications including:

- Full legal name
- Mailing address
- Email address (if any)
- Telephone number
- Social Security Number
- Date of Birth
- Place of Birth
- Citizenship, or immigration/visa status (documentary evidence from BCIS)
- Description of recent classes relevant to the SOW
- Experience related to the scientific field (paid or volunteer work and academic)
- Experience in laboratory work (paid or volunteer work or academic)
- Scientific publications with a description of the individual's participation in the publication
- An attached certified copy of the most recent transcript showing listing of courses and overall grade point average

Interested students or recent graduates should submit their resume or statement of qualifications and rate proposal to: (*Name of contracting officer, mailing address, e-mail address, fax number.*)

The deadline for submissions is (*time/month/day/year.*) Students or recent graduates are responsible for submitting proposals so that they reach the Government office designated by the time specified.

Any proposal received at the Government office designated after the exact time specified

for receipt is "late" and will not be considered unless it is received before award is made, and the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition and:

1. It was transmitted electronically and received at the initial point of entry to the Government infrastructure not later than 5:00 p.m., one working day prior to the date established for receipt; or
2. There is acceptable evidence to establish it was received at the Government installation and was under the Government's control prior to the time set for receipt; or
3. It was the only proposal received.

However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.

Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated by the exact time specified, and urgent Government requirements preclude amendment of the announcement, the time specified for receipt will be deemed extended to the same time of day specified on the first work day on which normal Government processes resume.

The Government will make contract awards based on all other factors other than price (students/recent graduates' knowledge and skills, academic and work experience — training and course work as it relates to the services described in the Announcement) being significantly more important than price. Personal interviews may be conducted with the most promising candidates.

The evaluations of students' or recent graduates' resumes or statements of qualifications will be based on the following evaluation factors: *(Identify the factors that will be evaluated by order of importance - level of scientific field experience (work and academic), level of laboratory experience (work and academic), education, training, etc.)*

Students or recent graduates who perform under contract to EPA must have a checking or savings account at a financial institution that will accept direct deposits of Federal funds for Electronic Funds Transfer (EFT) prior to award and must register with the Central Contractor Registration (CCR) and Dun and Bradstreet (D&B). To register with D&B and obtain a DUNS number, selected students or recent graduates can call D&B at 1-866-705-5711 or contact D&B at <http://www.dnb.com/updte>. To register for the CCR, selected students or recent graduates can call 1-888-227-2423 or 296-961-5757 or contact CCR at <http://www.ccr.gov>. There is no charge to register for DUNS or CCR.

Students or recent graduates who perform under contract to EPA are required to undergo a background investigation consisting of a check of Federal Bureau of Investigation (FBI) name and fingerprint files, and a suitability determination. Selected students or recent graduates will be provided copies of the appropriate forms and instructions on their completion and submission requirements.

Student/recent graduate contractors are responsible for all costs of transportation to and from the principal duty station location. EPA does not provide nor pay for housing, meals, or other living expenses while working at the principal duty station location. If performance of the contract requires overnight travel, the student/recent graduate contractor will travel under the rules and procedures established for Federal employee travel.

EPA will be responsible for compensating students or recent graduates in the same manner as Federal employees for any injury suffered while performing these services. Students or recent graduates are protected from personal common-law tort liability for damages to third parties arising out of his/her work under the same broad-based immunity provided to Federal employees while performing these services. Properly licensed students or recent graduates may be permitted to drive Government vehicles, if required to do so by the statement of work.

Students or recent graduates will be required to comply with Federal requirements for Standards of Ethical Conduct and Conflicts of Interest.

Students or recent graduates may be offered, at Government expense, non-mandatory vaccinations, immunizations, treatments, medical examinations, and health and safety training to safeguard their health prior to beginning certain types of work which may expose them to health or safety risks in the environment.

Selected students or recent graduates will receive more information about these issues prior to award of any contracts.

APPENDIX 37.2 B Sample Statement of Work

1. Agency and Office Mission and Project Description:

The National Health and Environmental Research Laboratory (NHEERL) is responsible for conducting studies of adults and children to characterize relationships between particulate matter (PM) and co-pollutant exposure and health indices. NHEERL is developing animal models that can mimic human diseases, such as asthma.

2. Description of Work Required:

The projects for which the student or recent graduate is needed to perform involve understanding the effects of PM. The student or recent graduate will be expected to analyze global climate changes and evaluate the risks to human health in accordance with established procedures, perform chemical analysis and prepare weekly progress reports. All samples will be analyzed according to specification, either in the American Society for Testing and Materials Manual or instructions provided by their Contracting Officer's Representative.

All samples shall be prepared according to the technical requirements. The student or recent graduate will prepare all samples as requested, but the number of samples for testing will not exceed 12 samples per month. The student or recent graduate will maintain careful and accurate records in a Laboratory Notebook. This notebook, and all other data produced in performance of this work, will be the property of the Environmental Protection Agency (EPA).

3. Quality Assurance Requirements:

Activities conducted by the student or recent graduate will be governed by the EPA quality system, as described in the approved Quality Management Plan for the organization issuing the contract. Therefore, the student or recent graduate must consult with NHEERL's quality assurance manager prior to initiating work on this project, *or* this work is included in an existing quality assurance plan, identified as _____ dated _____. (*Whichever is appropriate.*)

4. Description of working conditions:

Work will be performed in a laboratory. Students or recent graduates will be required to wear safety apparel and to closely observe safety requirements.

5. Travel Requirements: No travel is anticipated for this effort.

APPENDIX 37.2C**PRICING TABLE FOR STUDENT OR RECENT GRADUATE SERVICES**

1. Rates for students funded through direct Purchase Order include cost of self-employment taxes for social security and Medicare.
2. Students are paid only for the hours worked (with no holiday or leave benefits). Full time work should be estimated at no more than 1928 hours/year.
3. The recommended rate Table for Student or Recent Graduate Services is updated annually by ORD to reflect pay and locality increases and can be found at:

<http://v26265ncay001.aa.ad.epa.gov/opencms/export/sites/default/ordatwork/resources/humanresources/ssa/index.html>

APPENDIX 37.2D**NO WORK MAY BE PERFORMED UNDER THIS ORDER UNTIL THE STUDENT OR RECENT GRADUATE SIGNS AND DATES THE FOLLOWING:****Acknowledgment of Special Terms**

The student or recent graduate acknowledges that he/she fully understands and accepts the following special terms of this order:

A. The U.S. Government will be responsible under the provisions of chapter 81 of Title 5, United States Code for compensating the student or recent graduate in the same manner as a Federal employee for any injury suffered while performing services under this order.

B. The student or recent graduate is protected from personal common-law tort liability for damages to third parties arising out of his/her work under this order under the same broad-based immunity provided to Federal employees under the Federal Tort Claims Act (Chapter 171 of Title 28 of United States Code).

This protection does not apply to claims brought against the student or recent graduate for money damages for a violation of the Constitution or for violation of a statute of the United States under which such action against an individual is otherwise authorized, and will not apply to damages that are the result of unauthorized or expressly prohibited actions or gross negligence on his/her part. Properly licensed students or recent graduates may be allowed to drive Government vehicles, if required to do so by the statement of work.

C. For all other legal and tax purposes, the student or recent graduate is regarded as an independent contractor.

D. Payments for services performed under this order are reportable and taxable as earned income.

1. Federal, State or local income taxes will *not* be deducted by EPA from payments made under this order. As a self-employed individual, the student is responsible for payment of all such taxes on income received under this order.
2. No Social Security (FICA) or Medicare taxes will be deducted by EPA from payments made under this order. As a self-employed individual, the student is responsible for payment of all such taxes on income received under this order. EPA's Office of Chief Financial Officer will report the total amount paid under this order to the U.S. Internal Revenue Service on a Standard Form 1099 at the end of the calendar year. The student or recent graduate is not considered to be an employee, and thus will not receive a W-2 form.

E. In order for EPA to process payments to the student or recent graduate, the student or recent graduate must have a checking or savings account at a financial institution that will accept direct deposits of Federal funds through Electronic Funds Transfer.

F. The student or recent graduate will be issued a building pass (ID card) and/or parking permit. These items must be returned to EPA at the completion of the order. Prior to obtaining a building pass, the student or recent graduate is required to undergo a background check and suitability determination by EPA. If a background check reveals information that the student or recent graduate represents a risk to the interests of the EPA, the order will be terminated immediately.

G. If the student or recent graduate is given access to EPA computers, he/she will be required to complete computer security awareness training and comply with the EPA Policies for Information Resources Management. Irresponsible use of network passwords or other unacceptable security violations will result in termination of access to EPA computers and may result in termination of this order.

H. Each student or recent graduate should avoid any outside activity or employment that creates a real or apparent conflict of interest with his/her EPA work. When there is doubt about the propriety of outside activities or employment, the student or recent graduate should consult with his/her Contracting Officer's Representative. Students or recent graduates will observe regulations governing conflicts of interest, standards of ethical conduct, lobbying and soliciting funds, and gifts from outside sources, in the same manner as "special employees." Students or recent graduates are not subject to financial disclosure requirements or post-employment restrictions which apply to Federal employees.

I. Vaccinations and Immunizations/Medical Monitoring/Health and Safety Training

1. Vaccinations and Immunizations

- a. Before beginning certain types of work, the student or recent graduate may be offered non-mandatory vaccinations, immunizations, or treatments as specified in

the Statement of Work. The purpose of these vaccinations, immunizations, or treatments is to safeguard the health of those whose work may expose them to health or safety risks in the environment.

i. EPA will bear all costs for the administrations of the offered vaccinations, immunizations, or treatments provided that the student or recent graduate receives such treatment at the time and location designated by the Contracting Officer's Representative.

ii. Student or recent graduates electing to receive vaccinations, immunizations, or treatments from sources other than those designated by the Contracting Officer's Representative will not be reimbursed for any costs associated with such treatment.

b. Students or recent graduates that elect not to receive vaccinations, immunizations, or treatments from either the Government or private source will be required to sign a form letter acknowledging that they have declined the offered treatment. A student or recent graduate who declines the vaccinations, immunizations will not be covered by the Government for costs of or treating illnesses that could have been avoided by taking the recommended immunization therapy, unless the student or recent graduate provides written documentation from a physician certifying to the student's or recent graduate's intolerance of the immunization drugs.

c. Students or recent graduates who have already received vaccinations, immunizations, or treatments suggested by the Statement of Work may provide copies of shot records or other evidence acceptable to the Contracting Officer's Representative in lieu of receiving a new round of treatment or signing the declination letter. The Contracting Officer's Representative will retain copies of such evidence in the files related to the student's or recent graduate's work.

2. Medical Monitoring

a. Students or recent graduates whose contract requires work with or around hazardous substances, may be offered medical examinations to identify any adverse health effects related to exposure. These examinations, when offered, will be paid for by the Government.

b. These medical examinations have been constructed in order to answer specific questions about exposure risk and health in the work place. These examinations are not meant to be "wellness" examinations. Participation in these examinations should not be construed as an adequate substitute for periodic examinations by the students' or recent graduates' personal physicians. The types of evaluations that may be performed are baseline, periodic, and exit.

c. Baseline evaluations are done to characterize the state of health of the individual

prior to commencing work in a new assignment. It may be conducted in order to assess the individual's health status in relation to the special demands of the proposed job assignment.

d. Periodic evaluations are performed to identify and measure any adverse effects from occupational activities, and to control risks from occupational exposures.

e. Exit evaluations are conducted when an individual terminates a given position that requires medical surveillance. This examination is performed to document the health status of the individual at the end of work in a particular position.

3. Health and Safety Training

Students or recent graduates will be expected to participate in health and safety training, at the Government's expense, to make them aware of safety programs and policies at EPA. These include initial safety, health, and environmental management training, laboratory health and safety training, and field activity training. It also includes general safety, personal protective equipment, physical hazards and chemical hazards training. This training is required under Federal, OSHA, EPA, DOT, and NRC regulations.

J. Except for extending coverage under items A. and B. above, the student or recent graduate is not, for any other purpose, considered to be a Federal employee and no rights or benefits as such will accrue to the student or recent graduate.

(Printed name) _____

(Signature) _____

(Date) _____

APPENDIX 37.2E**SAMPLE PURCHASE ORDER ISSUED DIRECTLY TO STUDENT OR
RECENT GRADUATE OPTION FORM 347 (REV. 6/95)****Terms and Conditions of the Order****1. Acknowledgment of Special Terms**

The signed acknowledgment of special terms is hereby incorporated into this order. No work may be performed under this order unless and until the student or recent graduate has signed the acknowledgment form.

2. Electronic Funds Transfer (EFT)

Students or recent graduates must have a checking or savings account at a financial institution that will accept direct deposit of Federal funds for EFT. _____

3. Registration for Dun & Bradstreet (D&B) and Central Contractor Registration (CCR)

Students or recent graduates must register with D&B to obtain a Data Universal Number System (DUNS) number or DUNS +4 and the CCR. Failure to register may adversely affect being paid. They will need to provide the following information to CCR: their taxpayer identification number (Social Security Number), EFT information, and DUNS number.

To obtain a DUNS number, students or recent graduates can call D&B at 1-866-705-5711 or contact D&B at <http://www.dnb.com/updte>. To register for the CCR contractors can call 1-888-227-2423 or 296-961-5757 or contact CCR at <http://www.ccr.gov>. There is no charge to register for CCR or DUNS.

4. Background Check and Suitability Determinations

Students or recent graduates who perform under contract to EPA are required to undergo background checks and checks for FBI fingerprint files and suitability determinations by EPA. Upon award, the Contracting Officer will provide students or recent graduates with two copies of the SF-87, "Fingerprint Chart" (02/02) with instructions for completing the forms and for submission.

The students or recent graduates must return the completed forms to the Contracting Officer at least 14 business days prior to reporting for work. If there are not 14 business days available, the student or recent graduate will provide the completed forms to the Contracting Officer's Representative when he/she reports for his/her first day of work. The Contracting Officer is responsible for the submission of the forms to EPA's Office of Administration to process the background check and to make the suitability determination. If a background check reveals information that the student or recent graduate represents a risk to the interests of EPA, the Contracting Officer will immediately terminate the award.

5. Billable Hours

Hours shown in this order are estimates only. EPA will pay students or recent graduates only for the number of hours actually worked. Students or recent graduates may bill their time and be compensated in increments of a quarter of an hour. If the student or recent graduate works eight minutes or more, the total will be rounded up and seven minutes or less the total will be rounded down (on a daily basis).

As self-employed contractors, students or recent graduates do not accrue leave or holiday benefits. EPA will *not* pay for any non-work hours, regardless of the reason the Agency/building is closed. This includes scheduled Government holidays, unscheduled holidays, or any other unscheduled closure (e.g., inclement weather, furloughs, security reasons.) When the Government decides to close the building after the student or recent graduate has reported to work, the Government will pay only for the hours worked before closure.

As self-employed contractors, they are paid the hourly rate specified in the contract for any hours worked beyond the 40 hour week, with no overtime premium.

6. Overtime and Withholdings

Students or recent graduates performing under these contracts are considered self-employed contractors, and are, therefore, exempt from the Fair Labor Standards Act and the Service Contract Act. As contractors, Federal, state or local income taxes or Social Security (FICA) payments will *not* be deducted from payments.

The rate of pay is set forth in the contract based on the level of education needed to perform the requirements in the SOW. Students or recent graduates who have more years of education than required, or who attain a degree while work is underway *do not* move to a higher level of pay than required by the SOW.

Students or recent graduates, who are not employed by any other employer, whose net earnings are \$400 or more, must pay self-employment taxes to pay into the Social Security and Medicare trust funds. They may also be liable for income taxes dependent on their total earnings. Since there is no withholding on their income, they may need to make quarterly estimated tax payments.

7. Invoicing and Payments

All payments will be made through electronic funds transfer (EFT.) The student or recent graduate shall submit the original copy of invoices for payment to the EPA finance center (FC) designated in the award, with copies to the CO, COR, and mentor. The student or recent graduate may submit invoices bi-weekly.

To be considered a complete and proper invoice, the invoice must include the following information:

- Contractor name
- Invoice Date
- Award number
- Billing period (dates covered by the invoice)
- Daily record of hours worked
- Total number of hours worked during the billing period

EPA-FC will forward complete and proper invoices to the COR for review and acceptance. Once the COR has accepted the services by approving the invoice, EPA-FC will endeavor to pay all invoices for these services within two weeks after receipt of a proper invoice. However, EPA is not obligated to make payment before the 30th day, as provided in the Prompt Payment clause. Students or recent graduates who submit timely invoices and do not receive payment within the 30 days stipulated in the Prompt Payment Act are entitled to interest payments as prescribed in the clause. A sample invoice is attached for use. It may be reproduced.

8. Principal Duty Station

Work will be performed in the _____ facility at _____. The student or recent graduate may enter the building only during business hours or when a project member is present.

9. Compensation

The rate of compensation for this work is commensurate with the level of education and experience required to perform this work. For this work statement, the student or recent graduate will be paid \$XX.XX per hour based on the requirement that he/she has completed. Students or recent graduates may bill their time and be compensated in increments of a quarter of an hour. If the student or recent graduate works eight minutes or more, the total will be rounded up and seven minutes or less the total will be rounded down (on a daily basis).

The student or recent graduate is responsible for all costs of transportation to and from the principal duty station. The Government does not provide housing, meals or other living expenses while the student or recent graduate is working at the principal duty station. Travel away from the duty station is not expected.

10. Termination

FAR clause 52.249-12, Termination (Personal Services) (APR 1984) is incorporated into this order by reference and applies in place of the termination language at 52.213-4(f) and (g). The Government may terminate this order for cause in the event students or recent graduates fail to comply with any terms and conditions, including those listed in the Acknowledgment of Special Terms, repeatedly fail to report on scheduled work days, or otherwise fail to perform services under this order.

Additionally, false statements on resumes are grounds for termination as well as results of background checks that reveal information that the student represents a risk to the interests of EPA.

If the order is terminated for cause, students or recent graduates are paid only for hours worked to the point of termination and will not receive the 15 days notice described in clause 52.249-12, "Termination (Personal Services)".

11. Overnight Travel

If performance of the order requires overnight travel, the student or recent graduate will travel under the rules and procedures established for Federal employee travel (chapters 57 and 81 of title 5, United States Code.) The COR is responsible for issuing invitational travel orders and determining whether the student or recent graduate will be issued a U.S. Government Stored Value (Debit) Card for travel.

If the student or recent graduate is issued a U.S. Government Stored Value (Debit) Card for travel expenses, the COR will work with the Funds Control Officer in the program office to enter the amount of funding required to pay for the student's or recent graduate's lodging, meals, local transportation, and other incidental expenses. If the card is not accepted at a hotel, the student or recent graduate may get cash advances from the card to pay for these expenses. The student or recent graduate would then file travel vouchers to closeout the travel.

12. Extensions to the Term of the Order

If the award contains a line item for an option period to renew or extend the order and the price of the order is based on the pricing table for students and recent graduates, the Contracting Officer and the student or recent graduate may agree to extend the period of performance by bilateral modification to the award. The hourly rate will be adjusted to the applicable rate from the most current pricing table for students or recent graduates at the time of exercising the option. However, the Government is under no obligation to exercise an option. The hourly rate will *not* be adjusted to a different grade level for the option period. The total duration of this order, including base and any options and other extensions, shall not exceed 60 months or five years.

13. Clauses Incorporated by Reference

The following clauses are incorporated by reference:

Federal Acquisition Regulation (FAR) Clauses:

<u>Number</u>	<u>Title</u>	<u>Date</u>
52.213-04*	Terms and Conditions – Simplified Acquisitions	July 2002
52.227-17	Rights in Data – Special Works	June 1997
52.232-3	Payments under Personal Services Contracts	Apr 1984
52.232-25	Prompt Payment	Feb 2002

52.232-33	Payment by Electronic Funds Transfer – Central	May 1999
52.233-01 Alt.1	Disputes – Alternate I	July 2002
52.249-12	Termination – Personal Services	Apr 1984

EPA Acquisition Regulation (EPAAR) Clauses:

Number	Title	Date
1552.209-70	Organizational Conflict of Interest Notification	Apr 1984
1552.209-71	Organizational Conflict of Interest	Apr 1984
1552.211-79	Compliance with EPA Policies for Information Res.	Oct 2000
1552.235-71	Treatment of Confidential Business Information	Apr 1984
1552.235-73	Access to Federal Insecticide, Fungicide, and Rodenticide Act Confidential Business Information	Apr 1996
1552.235-75	Access to Toxic Substances Control Act Confidential Business Information	Apr 1996
1552.235-76	Treatment of Confidential Business Information (TSCA)	Apr 1996
1552-235-77	Data Security for Federal Insecticide, Fungicide, and Rodenticide Act Confidential Business Information	Dec 1997
1552-235-79	Data Security for Toxic Substances Control Act Confidential Business Information	Dec 1997
1552-235-80	Access to Confidential Business Information	Oct 2000

Full texts of FAR clauses are available at: <http://www.epa.gov/oam/ptod/far.pdf> and EPAAR clauses are available at: <http://www.epa.gov/oam/ptod/epaar.pdf>.

14. Contracting Officers Representatives and Mentors

- a. Contracting Officer's Representative - the Contracting Officer's Representative is the primary representative of the Contracting Officer. The Contracting Officer's Representative may be either an EPA employee or, as appropriate, another Federal Agency

employee, appointed by the Contracting Officer, who possesses the necessary knowledge, skills, and abilities to perform pre-award and/or post-award functions.

The Contracting Officer's Representative is responsible for technical direction, and certifying that services were received and accepted. Contracting Officer's Representatives do not have the authority to issue any technical direction which changes or modifies the scope of work, or alters the period of performance of the contract. The Contracting Officer's Representative may also serve as a mentor.

b. Mentor - the mentor is a Government scientist who provides the day-to-day direction, coaches, advises, counsels, provides guidance and support to the student or recent graduate in their work. Mentors review the student's or recent graduate's work and provide input to the Contracting Officer's Representatives on the quality and quantity of this work. Mentors do *not* perform acquisition functions, such as approval of invoices

15. Technical Direction by the Contracting Officer's Representative or Mentor

The performance required by this order shall be subject to the technical direction of the Contracting Officer's Representative or Mentor as identified below. As used here, the term "technical direction" is defined as direction to the student or recent graduate that fills in details, suggests possible lines of approach, or otherwise supplements the scope of the work set forth and shall not constitute a new assignment, and does not supersede or modify any article or clause of this order.

The Contracting Officer's Representative and Mentor is not authorized to perform, formally or informally, any of the following actions:

- a. Promise, award, agree to award, or execute any contract, contract modification, or notice of intent that changes or may change this order;
- b. Waive or agree to modification of the delivery schedule;
- c. Make any final decision on any contract matter subject to the Disputes Clause;
- d. Terminate, for any reason, the student's or recent graduate's right to proceed;
- e. Obligate in any way, the payment of money by the Government. Only a warranted, Contracting Officer is authorized to obligate funds on this or any other contract action.

The student or recent graduate shall immediately notify the Contracting Officer in writing if the Contracting Officer's Representative or Mentor has taken any action (or fails to take action) or issues direction (written or oral) that the student or recent graduate considers to exceed the above limitations.

The Contracting Officer's Representative for this order is: Name:
Telephone: _____

U.S. Environmental Protection Agency
Mailing Address:

The Mentor (if different from the Contracting Officer's Representative) for this order is:

Name: _____

Telephone: _____

U.S. Environmental Protection Agency

Mailing Address:

Only the Contracting Officer may designate a new Contracting Officer's Representative.

16. Vaccinations and Immunizations/Medical Monitoring/Health and Safety Training A.

Vaccinations and Immunizations

i. Before beginning certain types of work, the student or recent graduate may be offered non-mandatory vaccinations, immunizations, or treatments as specified in the Statement of Work. The purpose of these vaccinations, immunizations, or treatments is to safeguard the health of those whose work may expose them to health or safety risks in the environment.

a. EPA will bear all costs for the administrations of the offered vaccinations, immunizations, or treatments provided that the student or recent graduate receives such treatment at the time and location designated by the Contracting Officer's Representative.

b. Student or recent graduates electing to receive vaccinations, immunizations, or treatments from sources other than those designated by the Contracting Officer's Representative will not be reimbursed for any costs associated with such treatment.

ii. Students or recent graduates that elect not to receive vaccinations, immunizations, or treatments from either the Government or private source will be required to sign a form letter acknowledging that they have declined the offered treatment. A student or recent graduate who declines the vaccinations, immunizations will not be covered by the Government for costs of or treating illnesses that could have been avoided by taking the recommended immunization therapy, unless the student or recent graduate provides written documentation from a physician certifying to the student's or recent graduate's intolerance of the immunization drugs.

iii. Students or recent graduates who have already received vaccinations, immunizations, or treatments suggested by the Statement of Work may provide copies of shot records or other evidence acceptable to the Contracting Officer's Representative in lieu of receiving a new round of treatment or signing the declination letter. The Contracting Officer's Representative will retain copies of such evidence in the files related to the student's or recent graduate's work.

B. Medical Monitoring

i. Students or recent graduates whose contract requires work with or around hazardous substances, may be offered medical examinations to identify any adverse health effects related to exposure. These examinations, when offered, will be paid for by the Government.

ii. These medical examinations have been constructed in order to answer specific questions about exposure risk and health in the work place. These examinations are not meant to be "wellness" examinations. Participation in these examinations should not be construed as an adequate substitute for periodic examinations by the students' or recent graduates' personal physicians. The types of evaluations that may be performed are baseline, periodic, and exit.

a. Baseline evaluations are done to characterize the state of health of the individual prior to commencing work in a new assignment. It may be conducted in order to assess the individual's health status in relation to the special demands of the proposed job assignment.

b. Periodic evaluations are performed to identify and measure any adverse effects from occupational activities, and to control risks from occupational exposures.

c. Exit evaluations are conducted when an individual terminates a given position that requires medical surveillance. This examination is performed to document the health status of the individual at the end of work in a particular position.

C. Health and Safety Training

Students or recent graduates will be expected to participate in health and safety training, at the Government's expense, to make them aware of safety programs and policies at EPA. These include initial safety, health, and environmental management training, laboratory health and safety training, and field activity training. It also includes general safety, personal protective equipment, physical hazards and chemical hazards training. This training is required under Federal, OSHA, EPA, DOT, and NRC regulations.

DOCUMENT

APPENDIX 37.2F**INVOICE****Invoice No. ____****Vendor Name:****Award No. Date:****Bill to: U.S. Environmental Protection Agency Financial Management Center Mail Code
Address as shown in order**

WEEK 1	DATE	TIME IN	TIME OUT	HOURS WORKED
SUNDAY				
MONDAY				
TUESDAY				
WEDNESDAY				
THURSDAY				
FRIDAY				
SATURDAY				
WEEK 2				
SUNDAY				
MONDAY				
TUESDAY				
WEDNESDAY				
THURSDAY				
FRIDAY				
SATURDAY				
TOTAL HOURS WORKED THIS PERIOD:				
Hours Worked:		Rate per Hour:		Total this invoice:

Student/Recent graduate certifies this invoice does not include hours previously billed under another invoice.

Signature of Student/Recent Graduate: _____ Date: _____

Contracting Officer's Representative certifies that the service was received and accepted.

Signature of Contracting Officer's Representative: _____
Date: _____